MR. TILLMAN REPLIES

Rejoinder to Criticism of Representative Cannon.

TEMPERATE VEIN

EXTRA SESSION OF THE SENATE

Consideration of Objections to New

BEGUN.

Members Postponed-Message From the President.

The United States Senate met at noon today in special session, called by the President. It was an interesting event, as such sessions do not usually occur except when a President of the United States is inducted into office. At the beginning of each new Congress-and today was the first session of the Senate of the Fifty-eighth Congressthe oath was administered to the senators who take office for six years. Of these seventeen were re-elected, as follows: Allison (Iowa), Clay (Ga.), Dillingham (Vt.), Fairbanks (Ind.), Foraker (Ohio), Gallinger (N. H.), Hansbrough (N. D.), Kittredge (S. D.), McEnery (La.), Mallory (Fla.), serving on appointment until the legislature meets; Penrose (Pa.), Perkins in the House early yesterday morning.

(Cal.), Pettus (Ala.), Platt (Conn.),

The President's Message. Platt (N. Y.), Spooner (Wis.), Teller (Col.). The new senators are: Ankeny (Wash.), Clarke (Ark.), Fulton (Ore.), Gorman (Md.), Heyburn (Idaho), Hopkins (Ill.), Latimer (S. C.), Long (Kan.), McCreary (Ky.), Newlands (Nev.), Overman (N. C.), Smoot (Utah), Stone (Mo.).

The Senate being a continuous body, its officers hold until their successors are chosen, so promptly at noon the body was called to order by Besident Par Terri Ever.

called to order by President Pro Tem. Frye. The scene was a brilliant one, and not un-like the opening of every session of Con-

The galleries were filled at an early hour, and in the family and reserved galleries were friends and relatives of the new senators. The desks of the new senators could be distinguished by the wealth of flowers which had been provided. The lavishness of the admirers was shown by the fact that desks and even chairs in some instances were completely buried under huge floral pieces and beautiful bouquets.

A Veritable Rose Garden. From the galleries the visitors looked

down upon the assembling Senate, which was transformed for the time into a garden of roses. The most conspicuous fioral display was about the desk of Senator Gorman, who had been given his old seat near the middle of the democratic side. There were literally dozens of mammoth floral pleces, some standing higher than the tallest man in the Senate and others of various forms typifying wishes of good luck for the future career of the Maryland senator, who has already served eighteen years in the body. His desk was banked so high with these flowers as to render it impos-sible for him to take his seat there. When he appeared there was tremendous ap-plause. Friends of other senators in the galleries greeted them in the same way, and there was no effort on the part of the and there was no effort on the part of the presiding officer to suppress these demon-

"The chair is lenient with the galleries this morning," said Senator Frye, after these demonstrations had continued some time. Not until the regular business of the Senate was begun did the president pro tem announce that no further demonstration would be permitted.

Changes in the Seats

Those who were well acquainted with the He declared that the Senate was the grand-Senate were interested in noting the various changes that had taken place in the seating of members, Senator Foraker, who has long been on the edge of the democratic side, had his place removed to the middle of the republican side. Senator Blackburn and Senator Marin had moved up from near the rear of the democratic side to the front row near the middle aisle. The new senators, of course, had been given seats that were less desirable, the older members of the Senate having made such selection as they desired from among the seats vacated by the outgoing senators.

After the invocation Mr. Bennett, the After the invocation Mr. Bennett, the secretary of the Senate, read the proclamation of the President convening the Senate in extra session.

Objections to Be Heard Later.

Immediately upon the Senate being called to order Senator Hoar made an announcement in behalf of Senator Burrows, chairman of the committee on privileges and elections. He stated that Mr. Burrows was obliged to be absent, but desired him to say that he understands that the orderly and constitutional method of procedure in regard to the administering of the oath to Tillman. newly-elected senators required that it should be administered to any senator who brings with him a certificate of his due elected.

Thiman. "I was not in the committee to and I do not know what was done.

"I simply," continued Mr. Tillman, explaining with him a certificate of his due elected.

The state of the stat tion from the executive of the state. That entitles him to be sworn in and all questions relating to his qualification are to be post-poned for due consideration. Otherwise, it might be that thirty members, or one-third another sixty odd thousand dollars due us of the Senate could be deprived of their in South Carolina, and I ought to get that seats to the practical destruction of the entheory of state representation for a period of time. This explanation was not followed with

any further comment, but it cleared the situation, if it needed clearing, in relation to Senator Reed Smoot of Utah. His was the only case in which there was any ques-tion as to the administering of the oath. It was well understood in the Senate that this would be the proceeding, though among the uninformed there was an indefinite expectation that something might happen in relation to the reception of Mr. Smoot. Later on Senator-elect Smoot, accompanied by Senator Kearns, when called for, came to the front and the oath was administered. Whether it was from the novelty of seeing an apostle of the Morman Church or in any manner an approval of his election, the galleries joined in hearty applause as Mr. Smoot was conducted to the president pro tem. in order that the oath might be administered to him.

After Mr. Hoar had made this explanation Mr. Cullom presented the credentials of Senator-elect Hopkins of Illinois. All

other credentials had already been present-

Calling the Roll.

Senator Frye then announced that he would call the names of the senators-elect and ask them to come to the desk of the president pro tem. in groups of four. The first names called were those of Senator Allison, Senator-elect Ankeny, Senator-elect Clarke of Arkansas and Senator Clay of Georgia. Senator Allison was greeted with hearty applause. He today had the remarkable distinction of breaking the record with regard to the length of service of senators. He was sworn in for his sixth term, having served thirty years continuously in the Senate. A very large portion of the senators who assembled today were children when Senator Allison first entered that body. His popularity was very apparent as he came forward, being the first to be given the oath of office. Senator-elect Ankeny was not present and it was announced that he was ill at his hotel in this city under the charge of a physician.

Senator-elect Gorman went to the desk of the presiding officer he was given another ovation that was very marked. Senator Gallinger was in Michigan.

Hatchet Buried for a Time.

An amusing part of the proceeding to those who were well acquainted with the various political struggles and often acrimonious battles of words that have preceded the election of some of the senators who took the oath of office today, was the manner in which the senators were paired as they went to the desk of the presiding officer. In each case the senator's col-league escorts him to the desk of the pre-siding officer. In many instances today colleagues either representing divided factions in their own party or representing
different political faiths have been engaged
in bitter contests, but the hatchet was
buried for the time being, and the utmost
cordiality was exhibited between the bit-Benator Pettus, in his eighty-third year, is named as executor.

was the oldest senator who took the oath of office. At the end of his present term, if he is living, he will be in his eighty-It was announced that Senator Money of

appointed on this committee.

Senator Allison offered a resolution fix-ing the meeting hour of the Senate at 12

Matter of Personal Privilege.

his hand a copy of the Congressional Rec-

ord, and said he wished to speak on a mat-

ter of personal privilege. He had hardly

begun when Senator Pettus suggested that

it was a custom of the Senate and courtesy

to the President that no business should

be transacted until the President had been informed that the Senate was in session.

Senator Frye said that he knew of no par-

liamentary rule to that effect, but that it

for a recess of half an hour. It was sup-

posed that Mr. Tillman referred to the

speech made by Mr. Cannon about the South Carolina claim in the deficiency

bill, which caused something of a sensation

assistant secretary to the President, deliver-

ed the following presidential message to the

"I have called the Senate in extraordinary

session to consider the treaties concerning which it proved impossible to take action during the session of Congress just ended.

"The great and far-reaching importance

of these two treaties to the welfare of the

United States and the urgent need for their

Tillman Replies to Cannon.

remarks in the House on the 3d in reference

to the claim for \$47,000 provided in the de-

ficiency bill, which was the cause of a

hitch because of its being thrown out in

conference. Mr. Tillman's remarks were

awaited with great interest, as it was sup-

Senate, however, soon saw that Mr. Tillman was proceeding with very temperate language. He gave the legal status of South Carolina's claim for \$47,000, resulting from the war of 1812. He remarked that

Mr. Cannon had committed an offense, first,

against the Senate, and, second, against

himself. To show the offense against the Senate he read Jefferson's Manual, to the

effect that neither house should criticise the methods of business of the other house, and that the two should be entirely sep-

arate as far as transacting their business

When Mr. Tillman read Mr. Cannon's re-narks about legislative blackmail he

raised his voice and assumed a tragic tone

est legislative body in the world, and that Mr. Cannon had reflected on his (Mr. Till-

man's) integrity, and even on his character,

by his remarks.

"The trouble is," said Mr. Tillman, "that on the other side of the Capitol they have only unanimous consent of a few leaders."

This was called forth by Mr. Cannon's remark that the unanimous consent of the Secret colored one of the Se

Senate allowed one senator to hold up Con-

Mr. Tillman proceeded in a very quiet

way to show that the claim of \$47,000 for which he contended and which was allowed

in the deficiency bill was a just one, and had been so pronounced by government offi-

Illustrating His Remarks.

shut his jaws on South Carelina's claim,

and had sat down and gone to sleep. As

he uttered these words he brought his teeth

together to illustrate the shutting of the

massive jaws and then sat down in his

chair and bent his head on his hand in an

Senator Hale arose, but before he could

speak Mr. Tillman was again on his feet.
"I was speaking metaphorically," said Mr.
Tillman. "I was not in the committee room

on the proposition that I would have that money or have an extra session, and I was

in a position, under the rules of the Sen-ate, to enforce it, thank God! We have

some day."
Mr. Tillman said that some people when

they looked to the south looked through a telescope reversed, and when they looked

"Was I justified in fillbustering? I do not know whether I was or not, but I am

not sorry for it. Mr. Cannon has done me an injustice. He has done the Senate an

injustice, and in his calmer moments he

Mr. Hale's Statement.

Senator Hale then made a dignified state-

ment in relation to the amendment to pay

South Carolina's claim, and to what had

taken place in conference. He said that

the claim was recognized as a just one and

that the committee had worked on it as it

had other matters. Mr. Tillman had never

been in the committee room while the con-

ference was on and had never done anything

unusual in relation to the matter. Mr. Hale

said that Mr. Cannon might look back on a

hundred acts of his life with pride when

his career is closed, but he could never look with pride on that speech he had delivered

n the House attacking the Senate.

Mr. Allison, chairman of the committee

on appropriations, followed, and said that he indorsed all that Mr. Hale had said.

He deplored Mr. Cannon's speech, and said that the Senate would make its own rules.

He said Mr. Cannon's utterances were in violation of the comity which should pre-

Caucus of Democratic Senators.

The democratic senators will hold a cau-

elect a successor to Senator Jones of Ar-

kansas as chairman of the caucus, but they

question of policy with reference to the treaties now pending in the Senate.

probably will discuss to some extent the

AGREEMENT RATIFIED.

Was Settled.

The Star by which the contested will case

involving the valuable estate of the late

John W. Nairn has been settled out of court. Attorney F. P. B. Sands was associated with Attorneys Worthington and Perry as counsel for the caveator.

Justice Barnard of the District Supreme

vail between the House and Senate.

Congress.
Mr. Tillman exclaimed:

will realize it."

Mr. Tillman declared that Mr. Cannon had

cials.

attitude of slumber.

posed that he would launch into a choice line of denunciation in his own style. The

Mr. Tillman again arose and proceeded to

Senate:

countries.

To the Senate:

Senator Tillman then arose, holding in

The question as to whether the roll should Wabash Trainmen Seek to be called before the new members were sworn in called forth some comment. Sen-ator Frye decided that members should be Dissolve Injunction. sworn in before a call of the Senate was made, in the the absence of any suggestion of a lack of a quorum being present, and that proceeding was followed. When the roll was called it was found that seventy-four senators had answered to their names. LEADERS ALL ON HAND Senator Hoar then introduced a resolu-

tion for the appointment of two senators to wait upon the President, inform him that the Senate had assembled and see whether he had any communication to make. Senators Hoar and Cockreil were appointed on this committee. RUMOR THAT MEN WILL STRIKE ANYHOW.

> Possibility That Engineers, Conductors and Trackmen May Become Involved in the Trouble.

ST. LOUIS, Mo., March 5.-The Wabash strike situation is resolving itself into a egal battle for the dissolution of the injunction granted two days ago. Attorneys for the firemen and trainmen are still at work on the affidavits to be filed in court showing why the restraining order should was a custom of the Senate and a courtesy.

Mr. Tillman readily gave way and said
that he had no desire to speak before the
committee had returned, but merely
thought that he might dispose of his remarks during the interval. He then moved not be made permanent. Whether these will be completed in time to file today is a question. Grand Master Morrissey of the Brotherhood of Trainmen is of the opinion that the motion and affidavits may not be filed today.

The possibility of the firemen and trainmen of the Wabash striking as individuals without waiting for word from their leaders is now being discussed. It is stated that the men are ready to go out at a moment's notice. Unless President Ramsey After Senator Hoar and Senator Cockrell yields it is further declared that engineers, returned from the White House Mr. Barnes, conductors, telegraphers and trackmen to the number of 50,000 may become involved in the struggle.

Rumored Secret Compact.

Rumors of a secret compact between the men and the leaders to go out even if the dissolution of Judge Adams' injunction is not granted are abundant. The rules of the brotherhood prohibit

during the session of Congress just ender. I ask your special attention to the treaty with the republic of Colombia, securing to the United States the right to build an isthmian canal, and to the treaty with the restriking without sanction of the grand masers of the order. public of Cuba for securing a measure of commercial reciprocity between the two At Wabash headquarters everything was At wabasi headquarters everything was reported quiet and the men still at work. At an early hour a conference was begun in the offices of Judson & Green, St. Louis attorneys. Attorneys E. J. Pinney of Cleveland and W. T. Irwin of Peorla, with Grand Masters Morrissey and Hannahan, were adoption requires me to impose upon you the inconvenience of meeting at this time.

"THEODORE ROOSEVELT.

"White House, March 5, 1903."

The message was not read. Mr. Hoar announcing that he intended to move an expresent, as were also members of the local firemen. They were in consultation behind closed doors for some time deciding on a course of action to be taken in respect to

OFFICER TO BE DETAILED.

the dissolution of the injunction.

make a reply to Representative Cannon's Lieut. Latimer, U. S. N., Will Probably

Serve With Local Jackies. Gen. George H. Harries, commanding the District of Columbia militia, held a conference with Assistant Secretary Darling of the Navy Department and Admiral Taylor of the bureau of navigation, this afternoon, and it was practically decided between them that Lieut. Julian N. Latimer, U. S. N., will be detailed to serve with the naval militia of the District of Columbia National Guard within a few days. Lieut. Latimer has only just returned from China, having served his term of sea service, and is now connected with the bureau of ordnance of the Navy Department. He is regarded as an able officer and will doubtless give the bat-talion a thorough course of instruction in the duties of the seamen on a modern American battle ship.

THE BELGIAN PROTOCOL.

Agreement for Settlement of Claims

Ready for Signature. Baron Moncheur, the Belgian minister, called at the State Department today and informed Secretary Hay that the Belgian protocol providing for a settlement of claims against Venezuela is practically ready for signature. Minister Bowen may return to Washington this afternoon, in which event the convention will be signed as soon as it receives his approval. The Brussels government has not yet indicated what sovereign will be asked to name the

MAY APPOINT MIDSHIPMEN. Senators and Representatives Entitled

to the Privilege. The following senators and representatives will have appointments of midshipmen under the following provision of law: "Provided further: That members of the Fifty-seventh Congress who will not be members of the Fifty-eighth Congress, and in whose districts or states appointments have not been made or vacancies filled in the Fifty-seventh Congress, may immediately upon the passage of this act make the additional appointments herein provid-

California-Fourth district, Julius Kahn;

ed for."

fifth district, Eugene F. Loud. Georgia-Tenth district, William H. Fleming. Illiois-Second district, John J. Feely; eighth listrict, A. J. Hopkins; fifteenth district, Ross Mickey; sixteenth district, Thomas Selby; eighteenth district, Thomas M. ett. Iowa-Third district, David B. Henderson. Kentucky—Second district, H. D. Al-len. Maryland—Second district, A. A. Blakeny. Massachusetts—Tenth district, Henry F. Naphen. Michigan-First district, John B. esota-Sixth district, Page Morris, Mississippi-Fourth district, Andrew F. Fox. Missouri — Seventh district, James Cooney; eleventh district, Charles F. Joy. Nebraska —Second district, David H. Mercer; fourth district, W. L. Clark; fifth district, A. C. Shallenberger; sixth district, Wm. Neville. New York—Fourth district, Harry A. Han-bury; seventh district, Montague Lessler; thirteenth district, O. H. P. Belmont. Ohio-twelfth district, Emmett Tompkins. Pennsylvania—Ninth district, Henry G. Green; nineteenth district, Robt. J. Lewis; twenty-first district, S. M. Jack; twenty-third district, William H. Graham; at large, Robert H. Foerderer. South Carolina-First district, William Elliott; at large, Chas. N. Burke. Texas—Eighth district, S. W. T. Lanham. Virginia—Ninth district, Wm. F. Rhea. Wisconsin-Second district, Herman B. Dahle.
Nevada—Senator John P. Jones.

Missourl-Senator Geo. G. Vest.

Patent Office Changes.

The following appointments have been nade in the patent office: Maurice K. Peck of Nebraska and John W. Peters of Mississippi, fourth assistant examiners, at \$1,200; Abble E. Dawson of Kentucky and Mary E. Pretty of Pennsylvania, copyists, at \$720. The following promotions have been nade: Leonard T. Haney, District of Columbia, and Florence V. Merillat, District of Columbia, model attendants at \$800 to copyists cus tomorrow. The principal object is to at \$900;; Noel E. Eccleston of Maryland and Emma G. Brashears, District of Columbia. copyists at \$720 to model attendants at \$800: Aaron R. Townsend of Maryland, second assistant examiner at \$1.600 to first assistassistant examiner at \$1.600 to first assistant examiner at \$1,800; Robert C. Fauntieroy of Virginia, third assistant examiner at \$1,400 to second assistant examiner at \$1,600; William M. Cady of Ohio and Arthur H. Brown of Massachusetts, fourth assistant examiners at \$1,200 to third assistant examiners at \$1,400. Resignation: Alfred W. Proctor of Massachusetts, third assistant examiner at \$1,400. Reinstatement: Jno. O'Connell. District of Columbia convist at Terms Upon Which Nairn Will Contest Court today signed a decree confirming the O'Connell, District of Columbia, copyist at family agreement published yesterday in

> Virginia Postmasters Appointed. There were forty-three fourth-class postmasters appointed today, of whom thirtyone are to fill vacancies caused by death or

WAGING LEGAL BATTLE MR. MITCHELL HEARD

SPOKE AT LENGTH BEFORE THE STRIKE COMMISSION.

Representatives of Both Sides of the Coal Question Appeared This Morning.

Representatives of both sides of the coal strike question appeared before the anthra-cite coal strike commission today. All the members of the commission were present, Judge Gray, the chairman, presiding. The session was held in the hearing room of the interstate commerce commission. The following persons attended today's meeting: President John Mitchell, John Fahey, Thomas D. Nichells and W. H. Dettry, district presidents of Districts 1, 7 and 9 of the union; Walter E. Weyl, statistician for the miners; S. P. Wolverton, counsel for the Philadelphia and Reading Coal and the Philadelphia and Reading Coal and Iron Company; Francis I. Gowen, for the Lehigh Valley Coal Company; James H. Torrey, Delaware and Hudson Company; Everett Warren, Delaware, Lackawanna and Western, Temple Iron Company, Hillside Coal and Iron Company and Pennsylvania Coal Company; A. H. McClintock, Lehigh and Wilkesbarre Coal Company; John B. Kerr, Scranton Coal Company, and Samuel Dickson, Ira H. Burns and H. C. Samuel Dickson, Ira H. Burns and H. C. Reynolds, for the independent operators.

The main question discussed was that of determining the best method of payment for coal mined, and hinged upon the point as to whether settlement shall be made with the men according to weight or measure. The hearing today foreshadows an early report of the commission to President Roosevelt, as it involves practically th only issue which remains unsettled in the minds of the commission. It was intended that today's session of the commission should be a secret one, and strenuous efforts were put forth to attain this end.

Mr. Carroll D. Wright, one of the commis-sioners, late this afternoon made this statenent:
"The anthracite coal strike commission met today for the pupose of a consultation with the counsel and representatives of the miners and the coal operators, to enable the commission to avoid any musunder-standing as to matters under its consideration, but not to submit to the parties any conclusions reached by the commission or any form of an award.
"One of the difficult subjects with which

the commission has had to deal is that of paying for coal by weight rather than by car. Various methods have been suggested as a substitute, some of which were not touched upon at length in the voluminous testimony before the commission.

"It was necessary, therefore, for the commission to meet counsel on both sides and have a free and frank talk with them. Such a consultation could not have taken place had it been open to the public. No additional testimony was asked for or offered. "The commission is hard at work upon

its report, sitting late at night and making every endeavor to reach a speedy conclusion, but just when a decision can be reached carnot be stated."

Mr. Mitchell Heard at Length. The first session adjourned shortly before 1 o'clock, and the commission reassembled an hour later. The proceedings were in the nature of a general consultation regarding the matter of apayment of coal mined, and

the matter of payment of coal mined, and all of those present expressed their views in response to destions propounded by members of the commission.

Mr. Mitchell of course, was among those who talked at considerable length. Assisted by his district hertenants, he expounded in detail the position which the Mine Workers' Union has taken to proper the payment on Union has taken in urging the payment on the basis of the weight of coal before being taken from the miners; and the representatives of the corporate interests similarly answered interrogatories designed by the commission to make clear certain points involved in the case about which some of the members have been in doubt. No information was given out by the commission at the close of the forenoon session. This secrecy was the result of a direct vote of the commission, which voted "no" when the question was put, "Shall the newspa-pers be told what the commission has been talking about?"

MERRIAM'S SUCCESSOR.

It is Believed That Ex-Representative Mercer Will Be Appointed.

It is believed in official circles that succes will attend the candidacy of Mr. David H. Mercer, ex-representative from Nebraska, for the position of director of the census, which will be made vacant through the resignation of Director Merriam. As far as could be learned this morning the resignation of Gov. Merriam has not yet been placed in the hands of the President and, therefore, the position is not yet vacant. It is known, however, that President Roosevelt is favorably disposed toward Mr. Mercer, and it is regarded as almost a certainty that he will be appointed. Mr. Mercer retired from the House yesterday after ten years' service. For several years he held the position of chairman of the committee on public buildings and grounds, one of the most important committees of the House. In the administration of his duties in this committee Mr. Mercer had charge of bills appropriating enormous sums of money for government buildings throughout the country and gained for himself a widespread reputation as an executive officer.

Mr. Mercer has rendered yeoman service to the republican party during the several campaigns that have occurred since his entrance to the political arena. At one time he was secretary of the national congressional committee, and as such became known throughout the country. During the known throughout the country. During the last campaign he met with bitter opposition, which appeared to be directed personally at him. He was defeated at the polls, and since the election his friends have been endeavoring to obtain a good post in the government service for him. Mr. Mercer's marked abilities in many directions have attracted considerable notice. rections have attracted considerable notice. He is regarded as a man of great general information, and one whose taste for sta-tistics and statistical work makes him well qualified to fill the post of director of the

Several places have been suggested for Mr. Mercer since the election last November, but none of them appealed to his friends as that of the director of the central and the second state of the second state sus. As has been stated, the resignation of Gov. Merriam is not yet in the hands of the President, and any announcement of the selection of his successor would be re-garded as premature, but it is believed that Mr. Mercer will be the man selected to succeed him. Several members of Congress, both of the House and the Senate, have visited the White House in behalf of Mr. Mercer, democrats and republicans alike indorsing him for the post.

TALKS OF HIS TRIP.

Lieut. Gen. Miles Sees Secretaries Hay

and Moody.

Lieut. Gen. Miles, commanding the army, had a long talk today with Secretary Hay about his recent trip around the world. In the course of that tour Gen. Miles had occasion to visitimany United States embassies and legations, and, besides, he had an opportunity during his stay in China and at Pekin to take close note of the situation, a subject of peculiar interest to Secretary Hay just now, in view of the troubled state of the country. Gen, Miles paid a tribute to the uniform courtesy and consideration which had been shown him by the United States officials abroad, as well as by the dignitaries and officers of foreign courts, and it may be that some official acknowledgment of the latter may be made late

Gen. Miles also had a talk with Secretary Gen. Miles also had a talk with Secretary Moody, presumably with reference to the observations he had taken of the condition of the Unietd States naval forces in the east and of matters connected with foreign navies which had impressed him.

As for the strictly military notes made during his extended tour, Gen. Miles has included them in a special report to the President through the Secretary of War, and it is not known yet whether it will be deemed politic to make it public, as a whole, in consequence of its bearing on interna-

BAD TANGLE AT DOVER

Present House Believed to Be Legally Dead.

SENATE IS ALL RIGHT

FORMER FAILED TO COMPLY WITH CONSTITUTION.

Minority Did Not Adjourn From Day to Day-All Due to Senatorial Election.

Special Dispatch to The Evening Star. DOVER, Del., March 5 .- As a result of the house of representatives of the Delaware legislature failing to hold a session yesterday, when a large majority of the members were in Washington attending the induction into office of United States Senators Allee and Ball, the general assembly, it is now declared, is dead. When the house met at 10:55 o'clock this morning Speaker Anthony announced that as the constitution of the state had evidently been violated by the failure of a minority to adjourn "from day to day" he could not permit the transaction of business. A recess was then taken until 2 p.m.

pending the receipt of an opinion from Attorney General Ward as to the legality of the present session. Prominent constitutional lawyers in Dover state that because of this omission the session has ended, and the only way in which the difficulty can be adjusted is for Gov. Hunn to call an extra session.

Due to Senatorial Election. This development is a direct outcome of the election of the two United States senators. The senate is not involved in the mix-up. After the election of the United States senators on Monday the upper house, a majority of the members being present, adjourned legally until Thursday. But the house simply adjourned until next day, Tuesday. All but four members of the house went to Washington on the senatorial journey. This minority, which was of course less than a quorum, did not adjourn from day to day, as the constitution requires. Instead they skipped yesterday and adjourned until today. The opinion of the attorney general on this important question is exercity awaited and if he question is eagerly awaited, and if he should decide that the present session of the general assembly has expired, and leading lawyers of the state capital say that this will be his finding, the senate will be compelled to allow itself to die by all of

Extra Session Will Result. As much legislation remains unacted

the members absenting themselves

upon, the senatorial squabble having virtually occupied all of the attention of the legislators, the governor will be compelled to call an extra session at once in order to dispose of the pending business. The situation is unprecedented in the history of Delaware. Following the end of the long-con tinued senatorial deadlock and being cause thereby, it is all the more important.

JUDGMENT AFFIRMED.

Court of Appeals Passes Upon Case of Thompson Against District.

The Court of Appeals, in an opinion written by Mr. Justice Shepard, has affirmed the judgment of the Police Court in the case of Corbin Thompson, plaintiff in error, ainst the District of Columbia Mi Thompson, a dealer in milk, was convicted in the Police Court under information charging him with refusing to exhibit to the sealer of weights and measures a glass bottle used for the purpose of measuring milk, and was granted a writ of error in order that the Court of Appeals might review the judgment against him.

The Court of Appeals holds, among other things, that to require glass bottles to be stamped is not an unreasonable exercise of power; that the regulation in question cannot be declared unreasonable and void upon the testimony of the plaintiff in error, and that the evidence is likewise insufficient to show that the glass bottles used by the plaintiff in error are not measures within the meaning of the law.

REPRESENTATIVES' OFFICES. Question of a Site Considered by the

Special Committee. The question of selecting a site for the proposed office building for the House of Representatives was taken up today by Representatives Cannon, Hepburn and Richardson of Tennessee, who comprise the commission appointed by Speaker Henderson as his last official act as Speaker of the Fifty-seventh Congress.

The law providing for the new building re quires that the site shall be selected within thirty days. The commission met today in the room of the appropriations committee of the House and went over the plans which had been provided by Superintendent Elliott Woods of the Capitol, and which cover eacl one of the four squares immediately south of the Capitol grounds, a building designed for each square having been outlined in the plans. No conclusion was reached at the commission would undoubtedly prosecute the matter without losing any time until the selection had been made and the site

The appropriation for the site was fixed at \$750,000, although it was stated on the floor, of the House by Mr. Cannon that the land could undoubtedly be acquired for less than \$500,000. The commission will not take up the question of selecting plans for the new building until the site problem has been settled. Under the terms of the law they may avail themselves of expert architectural advice on any question involved in the new building.

IRISH TO GOVERN IRELAND.

Joseph Develin Declares This Must Come in Time. CHICAGO, March 5 .- "An Ireland to be

governed by Irishmen" was the theme on which Joseph Develin, member of parliament, spoke last night to several hundred persons at Music Hall in the Fine Arts The occasion was the 125th anniversary of

the birth of Robert Emmet and the celebration was given under the auspices of the United Irish Societies. Mr. Develin believed that with the force of united Irishmen in this country behind them a new era was dawning for his country. The present ministry of Ireland, which a year ago had de-clared that the landlord and tenants would be permitted to fight out their differences and then had thrown the power of England on the side of the lands, had receded from

Congress providing for the payment of the judgment entered under an act of the legislative assembly of Hawali for property destroyed during the campaign for the suppression and extinction of the bubonic plague. Congress appropriated \$1,000,000, to be used to reimburse the inhabitants of the island and others who lost their property when the plague infected the island, and further provided that a portion of the expense should be borne by the territorial government, the money to be obtained by means of a bond issue. The money appropriated outright by the federal government will be disbursed by an officer of the Treasury Department here, who will go to Hawaii for that purpose. The measy that will accrue from the sale of the bonds will be disbursed by the treasurer of the territory of Hawaii, who will be required to give a bond, to be approved by the governor, for the faithful disbursement of the money, either personally or through an authorized agent. The bonds are of the denomination of \$1,000, and bear 4 per cent interest. The interest is to be paid semi-annually, in May and November, the first payment falling due November 1, 1903.

The bonds are handsome pieces of lithography, and are the work of a Washington firm of lithographers. The time would not permit the Secretary of the Interior to have the bonds engraved.

THINKS HE HAS MURDERER.

Capt. Miller Believes His Prisoner

Killed Man in Philadelphia. PHILADELPHIA, March 5.-Captain Miller of the detective department today stated that he believes Harry Sifton, aged nineteen years, who was arrested yesterday, is the murderer of Archibald McCurdy, the night watchman who was killed in his brother's store on the night of February 20. Sifton and several companions who are also under arrest, will be arraigned for a hearing this afternoon, and the police say they expect to have sufficient evidence to warrant Sifton's commitment to prison to await the action of the coroner.

Suit Against Railway.

Samuel Bensinger, through Attorneys Hallam & Hallam and Milton Strasburger, this afternoon filed suit at law against the Baltimore and Ohio Rallroad Company to recover damages in the sum of \$1,200. It is alleged that while being transported over the defendant railroad one horse consigned to the plaintiff was killed, and that others were injupred.

Proceedings for a Settlement.

Jackson H. Ralston, Frederick L. Siddons and the firm of Einstein Brothers today filed suit in equity against James P. Kernan and three others. It is stated that the interests of the parties to the cause in and to the business conducted in the name of Kernan at 417 11th street be sold, and the proceeds be applied to the payment of a debt said to be secured by a deed of trust, and that proper distribution be made of the balance.

Building Permits Issued.

Building permits were issued today a follows: Harry O. Hine, one two-story and attic frame dwelling, 3050 Highland avenue

northwest. Cost, \$5,500. Charles F. Buscher, one two-story and attic frame dwelling, 3203 Brightwood ave-William A. Linkins, one two-story frame dwelling, Brightwood, D. C. Cost, \$1,200.
August Baumback, one two-story brick warehouse, rear of 17 N street northeast.
Cost, \$800. nue northwest. Cost, \$1,500.

H. M. Byington Appointed.

Mr. Homer M. Byington, a native of the District of Columbia, has been appointed from Connecticut to succeed the late Mr. Hubbard T. Smith as a life consular clerk. The appointee is a son of the United States consul at Naples and is now abroad.

Personal Mention. Senator Quay left today for his Florida fishing grounds to be absent several weeks. Senator Dryden of New Jersey will leave the city next week for Aiken, S. C., accompanied by Mrs. Dryden. They will remain south about a month.

Land Office Changes. In the general land office Charles H. Squires of California, clerk at \$1,000, has resigned, and Oswald N. Burke of New York, copyist at \$900, has been promoted to clerk at \$1,000.

Gold in German East Africa. Gold mining will be undertaken by Germans in German East Africa this year, according to a report to the State Department from United States Consul Winter. Travelers visiting the east shore of Lake Victoria have reported the presence of gold there. To reach these perspective mines, however, new means of transportion must be established. It is probable that English Uganda railroads will be used as far as

Revising the Japanese Tariff.

Mr. Ferguson, secretary of legation at Tokyo, has reported to the State Department the issuance of an imperial ordinance revising the inport tariff at Muroran and permitting the importation of sugar, vege-tables and agricultural implements, rails and boats and several other articles.

Grain, Provisions and Cotton Markets. CHICAGO, March 5 .- Grain: CHICAGO, March 5.—Grain:

Open. High. Low. Close.

Wheat—May. 77% 77% 75% 75% 76

July 73% 73% 12 11% 72 72%

Corn—day. 47% 47% 48% 46% 46% 56

Oats—May. 35% 14 35% 34% 34%

July. 32% 32% 31% 31% July. 32% 32%
CHICAGO, March 5.—Provisions:
Open. High.
Pork—May. 18.40 18.45
July. 17.85 17.85
Lard—May. 10.00 10.07
July 9.00 10.00
Ribs—May. 9.92 9.92
July. 9.72 9.72 Low. Close. 9.64 9.82 9.40 9.60 9.15 9.27

Washington Stock Exchange. Washington Stock Exchange.

Sales—Regular call, 12 o'clock noon—Capital Traction, 5 at 128%, 20 at 128%, 20 at 128%, 20 at 128%, 20 at 128, 20 at 127%. 20 at 127%. Washington Gas, 25 at 83%. Me renthaler Linotype, 1 at 181, 1 at 181, 10 at 180%, 10 at 180%. American Graphophone co. Com., 5 at 5, 2 at 5. Greene Copper, 1 at 26%, 100 at 26%. After call—Mergenthaler Linotype, 10 at 179%. Greene Copper, 100 at 27, 40 at 27. Washington Gas, 25 at 83%.

Railroad Bonds—Capital Traction 4s, 108% bid, 108% asked. Metropolitan Cert. Indebt., A, 107 bid, 122 asked. Metropolitan Cert. Indebt., A, 107 bid, 109 asked. Metropolitan Cert. Indebt., B, 106 bid, 107 asked. Columbia 6s, 121 bid, 125 asked. Columbia 2d mort. 5s, 107% bid. City and Suburbar 5s, 96 bid. Anacostia and Potomac 5s, 96 bid. The Washington Railway and Electric Co. 4s, 79 bid, 80% asked.

ton Railway and Electric Co. 4s, 79 bid, 80½ asked.

Miscellaneous Bonds—Washington Gas Co. 6s, series A, 109 bid. Washington Gas Co. 6s, series B, 109 bid. U. S. Electric Light Deb. Imp. 6s, 106½ bid. U. S. Electric Light Cert. Indebt. 6s, 106½ bid. Chesapeake and Potomac Telephone 5s, 105½ bid. Globy asked. Washington Market Co. 1st 6s, 108½ bid. Masonic Hall Association 5s, 104 bid. American Graphophone Deb. 5s, 36 bid.

Safe Deposit and Trust Stocks—National Safe Deposit and Trust, 137 bid, 140 asked. Washington Loan and Trust, 212 bid. 213 asked. Washington Safe Deposit, 45 bid. Union Trust and Storage, 108 bid, 109 asked. Washington Safe Deposit, 45 bid. Union Trust and Storage, 108 bid, 109 asked. Washington Safe Deposit, 45 bid. Union Trust and Storage, 108 bid, 109 asked. Washington Safe Deposit.

safe Deposit, 45 bid. Union Trust and Storage, 108 bid. 109 asked. Washington Savings Bank, 102 bid. The result was a bill that would give to the tillers of farms the right to own them and "would drive the robbers out."

NEW HAWAIIAN BONDS.

Regulations Framed for Proposals for the Obligations.

A circular containing the regulations concerning the proposals for the Obligations for the purchase of \$326,000 worth of bonds of the territory of Hawaii has been delivered to the Secretary of the Interior by the printer, and will be immediately promulgated. The notice of the date when proposals will be received by the governor of Hawaii will be published hereafter under the direction of the governor himself. The Department of the Interior was charged with the duty of preparing the necessary arrangements for the sale, The bonds are now in the hands of Secretary Hitchcock, and will be prepared for himselfs.

Safe Deposit, 45 bid. 109 asked. Washington Railway and Electric Co. Cont., 10 bid. 12% asked. The Washington Railway and Electric Co. Onn., 10 bid. 12% asked. National Bank Stocks—Bank of Washington Railway and Electric Co. Onn., 10 bid. 12% asked. Cont., 10 bid. 12% asked. National Bank Stocks—Bank of Washington Railway and Electric Co. Con., 10 bid. 12% asked. National Bank Stocks—Bank of Washington Railway and Electric Co. Con., 10 bid. 12% asked. Cont., 10 bid. 12% asked. Cont., 10 bid. 12% asked. Matchanica Saked. National Bank Stocks—Bank of Washington Railway and Electric Co. Con., 10 bid. 12% asked. Cont., 10 bid. 450 asked. Heropolitan, 700 bid., 450 asked. Matchanica Saked. All Columbia. 195 bid. 450 asked. Railway and Electric Co. Con., 10 bid. 450 asked. Matchanica Saked. All Columbia. 195 bid. 450 asked. Matchanica Saked. All Columbia. 195 bid. 450 asked. Cont., 10 bid. 450 asked. Railway and Electric Co. Con., 10 bid. 450 asked. Matchanica Saked. All Columbia. 195 bid. 450 asked. Central, 300 bid. Farmers and Mechanica Saked. Incon., 10 bid. 450 asked. Matchanica Saked. Matchanica Saked. Matchanica Sak the necessary arrangements for the sale.

The bonds are now in the hands of Secretary Hitchcock, and will be prepared for 28 asked. Washington Market, 184 bid. 27 asked. Washington Steamboat, 210

Bears Had Control in the

BY WESTERNERS

SOUTHERN AND UNION PACIFIC WEAK SPOTS. .

Stock Market.

Due to Talk of Gould Rivalry-Manhattan Did Not Show Expected Strength.

Special Dispatch to The Evening Star. NEW YORK, March 5.-London prices came from % to % per cent below our closing figures, thought to reflect selling from this side and some disappointment over the fact that the Bank of England rate of discount was not reduced as expected.

The local stock market had a good many unfavorable developments to contend with at the opening. Lower London prices, some renewed liquidation in the highpriced railway shares on account of the failure of the Aldrich bill, and some very aggressive selling by western operators all contributed to bear attacks. The westerners, it is said, after having lost heavily in the sharp decline in cotton yesterday were trying to make up some of their losses by hammering the stock market.

The first assault on stocks seemed to be rather successful, but whether they will be able to cover their short sales at a profit a little later on remains to be seen. At the decline which they are responsible for

decline which they are responsible for good judges of the situation think the market pretty near bottom prices, and look for a good rally to follow.

At the start there were some irregular movements, but with the exception of the traction shares, led by Manhattan, which showed % per cent advance, the general list showed declines averaging from ½ to 1% per cent, the latter in Canadian Pacific, on sales by the Canadians.

1% per cent, the latter in Canadian Pacific, on sales by the Canadians.

St. Paul also felt pressure from the western speculators, and lost about 1½ per cent. The most pressure, however, was directed against Union Pacific and Southern Pacific on reports of the incorporation of the Western Pacific Railway Company, with a capital of \$50,000,000, to build a line from San Francisco to Salt Lake City, Utah, with the surmise that the Goulds are back of the scheme. Union Pacific and Southern Pacific both lost nearly 2 per cent on heavy trading. New York Central was also weak, both in

London and here, and the stock lost over 1 per cent.
The copper shares showed the best resistance to the selling movement at the start, the opening figures showing 1/2 per cent. decline, and received good support

from the pool in those securities. The price afterward weakened on the general decline in the market.

United States Steel issues were lower on attempts by the bears to make capital out of the two-year-default clause in the terms of the bond issue. London was a seller here, and commission houses reported a moderate amount of long stock coming out on the decline.

Around the noon hour there was another Around the hoon hour there was another drive at prices, and another very weak spell followed; transactions up to that hour amounted to 406,600 shares. There were rumors at this time that some large dry goods house was in difficulty, and the bears made as much capital out of the report as possible.

port as possible. port as possible.

In the early afternoon there was a little rally on inclination to cover shorts and on the declaration of the regular dividend of 1% per cent and 1 per cent extra on Manhattan Railway stock. The latter stock sold up to 144% against 148 low, but very cutokly low. quickly lost I per cent on realizing sales. The bears were again inclined to attack values after the indifferent way in which the increased dividend on Manhattan was

Around 2 p.m. prices again weakened on aggressive selling by the westerners, and prices reached about the lowest of the day. There was no special news in this drive at the market, but uneasiness was felt over Saturday's bank statement. This statement, however, like that of the previous week, may turn out better than is ooked for, as the banks have been calling

in loans rather freely this week, and there has also been heavy liquidation of long stock during the past few days.

In the late trading a good deal of free-ularity developed, but the chances favored a rally on short covering. New York Stock Market.

Furnished by W. B. Hibbs & Co., bankers and brokers, 1419 F st., members New York stock exchange, Washington stock exchange and Chicago board of trade. Amalgamated Copper... 724 173 70% 70% Am. Car & Foundry 39% 89% 89 89 89 American Smelting, pfd 96 96 96 American Sugar..... 180% 180% 180% 180% 96 96 American Smelting, pfd
American Sugar
Anaconda
117
Atch., Top. & S. Fe
Atch., Top. & S. Fe, pfd
Baltimore & Ohio
Baltimore & Ohio
Brooklyn Rapid Tran
314
Brooklyn Rapid Tran
314
315

Pressed steel Car Republic Steel & Iron... tubber Goods. St. Louis S. W., pfd...
Southern Pacific...
Southern Railway...
Southern Railway...
Southern Railway...
Tennessee Coal & Iron...
Texas Pacific...
Union Pacific...
Union Pacific, pfd...
United States Leather...
United States Steel...
United States Steel...
Wabash...

60% 94% 64% 89% 95% 95% 95% 95% 95% 95% 95% 95% 94% 50 51 89 293/6 285/9 941/4

Baltimore Markets.

Baltimore Markets.

BALTIMORE, Md., March 5.—Flour dull, unchanged; receipts, 5,734 bushels; exports, 64.143 barrels. Wheat quiet; spot and March, 80a80%; April, 80½a80%; May, 81½a81%; steamer No. 2 red, 75a75½; receipts, 7,379 bushels; exports, none; southern by sample, 72a80½; southern on grade, 75½a80½. Corn ateady; spot and March, 62½a 52%; April 51¾a52; May, 51½ asked; steamer mixed, 50½a50%; receipts, 152,621 bushels; exports, 321,647 bushels; southern white and yellow corn, 47a52½. Oats firm; No. 2 white, 42½; No. 2 mixed, 40a40½; receipts, 5,604 bushels; exports, 600 bushels. Rye firm; No. 2, 58; No. 2 western, 59; receipts, 6,529 bushels; exports, none. Hay firm, unchanged. Grain freights steady, unchanged. Butter steady and lower; fancy imitation, 21a23; fancy creamery, 28a29; fancy ladie, 18a19; fancy roll, 17a18; good roll, 16a17; store packed, 15a17. Eggs firm and higher; fresh, 16. Cheese firm, unchanged; large, 14a14½; medium, 14a14½; small, 14½a14%. Sugar firm and higher; fine and coarso granulated, 5.01½.

